

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

6 MAR 1992

EX PARTE OR LATE FILED

Dockets
222

ORIGINAL
FILE
IN REPLY REFER TO:

Honorable Paul S. Sarbanes
United States Senate
309 Hart Senate Office Bldg.
Washington, D. C. 20510-2002

92-9 /

CN200597

RECEIVED

MAR - 9 1992

Dear Senator Sarbanes:

Federal Communications Commission
Office of the Secretary

Thank you for your letter concerning the Commission's proposals to allocate spectrum for emerging technologies, which includes personal communications services (PCS). Your constituent, Mr. Frederick L. Hubbard, General Manager of the Choptank Electric Cooperative, expressed concern regarding the cost of relocating electric utility licensees operating at 2 GHz.

On January 16, 1992, the Commission adopted a Notice of Proposed Rule Making (Notice) in ET Docket No. 92-9 that proposes allocating 220 MHz of spectrum at 2 GHz for use by new services and technologies. The Office of Engineering and Technology has developed a fact sheet which outlines this proposal. I have enclosed a copy for your information. In addition, because there has been some confusion about how this proposal would impact public safety agencies, I have enclosed a fact sheet which describes how those agencies would be affected by certain spectrum policies currently under consideration.

Briefly, under the Commission's proposal, state and local government licensees, including public safety agencies, would indefinitely continue their current operations on a primary basis. Other existing licensees would be permitted to continue their current operations on a primary basis for a period of time to be established - such as 10 or 15 years. Subsequently, they would be permitted to continue operating only on a secondary basis. Expansion and new microwave systems would be permitted on a primary basis only at higher frequencies. In conjunction with the Notice, the Commission released a staff study of existing use of this spectrum and identified other suitable frequencies available for this purpose. To further facilitate accommodation of the competing demands for this spectrum, the Commission also proposed to permit negotiation of financial arrangements between existing licensees and parties proposing new services. Such an approach would facilitate access to this spectrum for services employing emerging technologies.

These provisions are intended to prevent disruption to the communications of the existing licensees, yet still provide the spectrum needed by U.S. companies to develop new and innovative telecommunications products and services and bolster U.S. competitiveness in world telecommunications markets. An example of one such new proposed service is the personal communications service (PCS), which the Commission is addressing concurrently in GEN Docket No. 90-314.

The needs of the existing 2 GHz users are of importance to the Commission, and are being taken carefully into consideration. Please be assured that the concerns of Mr. Hubbard will be taken into account before a final determination is made in this matter. For that purpose, I am making this correspondence part of the record in the two dockets discussed above, ET Docket No. 92-9 and GEN Docket No. 90-314.

Sincerely,

A handwritten signature in cursive script, reading "Thomas P. Stanley".

Thomas P. Stanley
Chief Engineer

Enclosures

PAUL S. SARBANES
MARYLAND

COMMITTEES:

BANKING, HOUSING AND
URBAN AFFAIRS

FOREIGN RELATIONS

JOINT ECONOMIC

United States Senate

WASHINGTON, D.C. 20510-2002

February 20, 1992

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Ms. Linda Townsend Solheim
Federal Communications Commission
1919 M Street N.W., Room 808
Washington, D.C. 20554

Dear Ms. Solheim:

Enclosed is a copy of correspondence I received from Frederick Hubbard. The letter raises some serious concerns about FCC frequency allocation. I would greatly appreciate it if you would carefully review this matter and provide me with an appropriate response.

Your attention to this matter is greatly appreciated.

With best regards,

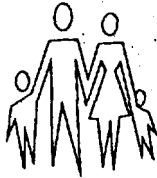
Sincerely,



Paul S. Sarbanes
United States Senator

PSS/asc
Enclosure

**CHOPTANK
ELECTRIC
COOPERATIVE**



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BOX 430 • DENTON, MARYLAND 21629-0430 • TEL: (301) 479-0380

92 JAN 30 AM 9:16

January 27, 1992

The Honorable Paul S. Sarbanes
United States Senate
Hart Senate Office Building
Washington, D.C. 20510

Re: Federal Communications Commission Frequency Reallocation

Dear Senator Sarbanes:

The Federal Communications Commission (FCC) recently took action to reallocate space on airwaves for new communications technologies known as Personal Communications Services (PCS). This action unfairly removes many electric utilities from these frequencies after they have already committed substantial capital investment for these frequencies.

Electric cooperatives made major investments after relying on frequency assignments by the FCC. With the recent FCC action, the electric cooperatives will have to vacate the 1.8 to 2.2 GHz spectrum, which is highly reliable and well suited for the utility communication needs of electric systems.

We do not object to the development of new communications such as PCS. Our concern is that by displacing current users of the 1.8 to 2.2 GHz, our rural consumers will incur substantial additional cost and suffer a deterioration in the quality and reliability of basic, essential electric service.

Congressional action to address this matter is essential. Your strong support on this issue is requested.

Very truly yours,

A handwritten signature in cursive script that reads "Frederick L. Hubbard". The signature is written in dark ink and is positioned above the printed name.

Frederick L. Hubbard
General Manager

FLH/dgs